

#### THE CITY OF SAN DIEGO

### REPORT TO THE PLANNING COMMISSION

DATE ISSUED:

February 18, 2010

REPORT NO. PC-10-015

ATTENTION:

Planning Commission, Agenda of February 25, 2010

SUBJECT:

T-MOBILE - DEL MAR MESA - PROJECT NO. 151075. PROCESS 4

OWNER:

ALBERT J. SHARF AND IONA SHARF/SHARF FAMILY TRUST

11-27-01

APPLICANT:

T-MOBILE WEST CORPORATION

#### SUMMARY

<u>Issue(s)</u>: Should the Planning Commission approve a Wireless Communication Facility (WCF) at 5005 Del Mar Mesa Road within the Del Mar Mesa community planning area?

<u>Staff Recommendation</u>: APPROVE Planned Development Permit (PDP) No. 691812, Conditional Use Permit (CUP) No. 533126, Coastal Development Permit (CDP) No. 691813, and Site Development Permit (SDP) No. 700522.

<u>Community Planning Group Recommendation</u>: The Del Mar Mesa Community Planning Board recommended approval of this project 10-0-0 at their July 9, 2009 meeting with the condition that T-Mobile provide a split rail fence, landscaping, and maintain the existing antenna pole as-is (Attachment 5).

Environmental Review: This project was found to be exempt per the Categorical Exemption for Replacement or Reconstruction, Section 15302(c) in accordance with State of California Environmental Quality Act (CEQA) Guidelines. The environmental exemption determination for this project was made on April 9, 2008 and the opportunity to appeal that determination ended April 23, 2008.

<u>Fiscal Impact Statement</u>: T-Mobile West Corporation is the financially responsible party for this project and is responsible for costs associated with processing this project.

Code Enforcement Impact: None.



#### Housing Impact Statement: Not applicable.

#### BACKGROUND

This application is for a Wireless Communication Facility (WCF), consisting of a faux broadleaf tree (Attachment 6) located at 5005 Del Mar Mesa Road within the Del Mar Mesa community plan area (Attachments 1 and 3). The property is zoned AR-1-1 and the land use designation is "Estate Residential" (Attachments 2 and 4).

Pacific Bell Mobile Services (PBMS) was originally issued Conditional Use Permit No. 95-0350-101 on April 3, 1997 for a WCF located on this property. During this time the site was transferred to T-Mobile West Corporation. The permit expired April 3, 2007 and T-Mobile submitted an application for a new permit which was deemed complete February 27, 2008.

Various permits are required for a WCF at this location. A Planned Development Permit is required because the equipment and faux broadleaf are located within the setback. Since the facility is located in a residential zone with a residential use, a Conditional Use Permit is required. A Coastal Development Permit is required due to the location of the property. Locating the split-rail fence within the public right-of-way requires the processing of a Site Development Permit. Draft findings for these required permits have been made in the affirmative (Attachment 10).

Council Policy 600-43 addresses the siting of WCF's. Ideally, WCF's are located away from residential uses and the permit process is designed to provide lower-level permits for projects located within commercial and industrial zones. This particular facility is located in an area of the Del Mar Mesa community identified as "Estate Residential." The property has one other carrier on-site, Verizon Wireless, located in a faux chimney. A barn, adjacent to this property, is under construction and will contain AT&T Mobility antennas. A faux tree across the street supports Sprint/Nextel antennas. These facilities exist to fill a coverage gap in this area and have been designed to comply with the WCF regulations. Each facility integrates into the residential setting of the neighborhood.

The Community Planning Group requested that T-Mobile install a split-rail fence along the property frontage to implement the community plan which T-Mobile has agreed to do. The 1,800 linear feet of split-rail fencing will be designed to match the existing fence material in the community. The group also recommended that the pole be left as-is and not be replaced with a faux tree. Based on this, the Community Planning Group has recommended approval of this project (Attachment 5). Please note that the project includes a faux broadleaf tree.

#### General Plan Analysis:

The City's General Plan requires that wireless facilities be both minimally visible and visually

respectful and compatible with the community. The antennas associated with this facility are proposed to be mounted on a faux broadleaf tree. Associated equipment will be located within an enclosure screened by a fence and landscape and will not be visible from the public right-of-way. Based on the project's design, it is compatible with the City's General Plan. The project will also implement the Del Mar Mesa Specific Plan by adding 1,800 feet of split-rail fencing.

#### Conclusion:

Staff supports the design as proposed. The current WCF is very visible and presents a visual impact along Del Mar Mesa Road. Replacing the existing facility with a faux tree will help to integrate the antennas into the existing landscape setting. Even though the equipment and antennas are located within the setback, this WCF is a smaller facility than others, consisting of only 2 antennas. As the antennas are proposed to be camouflaged within a faux broadleaf tree, the equipment will not be visible from the public right-of-way, and a split-rail fence will be installed. This project complies with the City's Land Development Code, the Wireless Communication Facility regulations, and the applicable land use plans. Therefore, Staff recommends approval of this project.

#### **ALTERNATIVES**

- Approve Planned Development Permit (PDP) No. 691812, Conditional Use Permit (CUP) No. 533126, Coastal Development Permit (CDP) No. 691813, and Site Development Permit (SDP) No. 700522, with modifications.
- 2. Deny Planned Development Permit (PDP) No. 691812, Conditional Use Permit (CUP) No. 533126, Coastal Development Permit (CDP) No. 691813, and Site Development Permit (SDP) No. 700522, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,

Mike Westlake

Program Manager

**Development Services Department** 

Alex Hempton, AICP

Associate Planner

Development Services Department

#### KB/AFH

#### Attachments:

- 1. Aerial Photograph
- Community Plan Land Use Map
- 3. Project Location Map

- Project Data Sheet 4.
- Community Planning Group Recommendation 5.
- Photo Sims 6.
- Coverage and Justification Maps Photo Survey 7.
- 8.
- 9. Draft Permit
- 10.
- Draft Resolution and Findings
  Ownership Disclosure Statement
  Project Chronology
  Notice of Public Hearing 11.
- 12.
- 13.
- Project Plans 14.



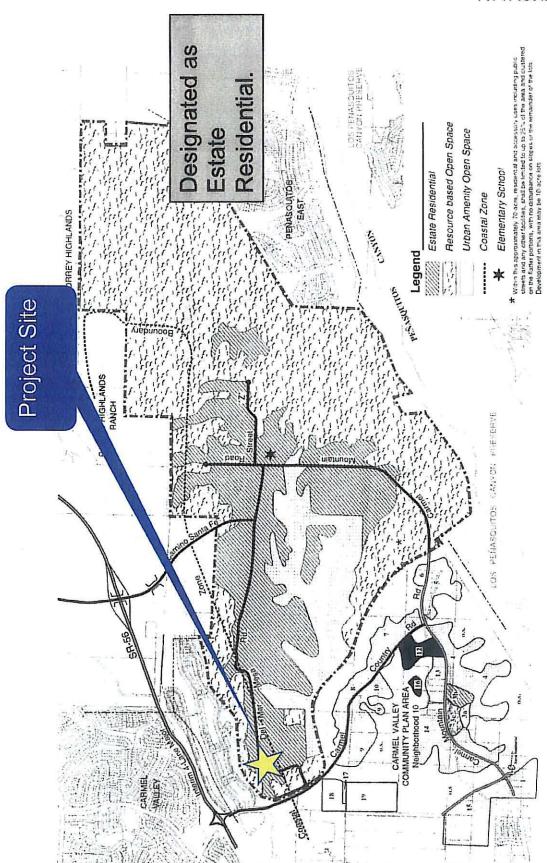
T-Mobile - Del Mar Mesa - Project Number 151075 Aerial Photo



5005 Del Mar Mesa Rd.

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#### **ATTACHMENT 2**





# Community Plan Land Use Designation

T-Mobile - Del Mar Mesa - Project Number 151075

5005 Del Mar Mesa Road







## **Project Location Map**

<u>T-Mobile – Del Mar Mesa – Project Number 151075</u>

5005 Del Mar Mesa Road



PROJECT DATA SHEET		
PROJECT NAME:	T-Mobile – Del Mar Mesa  Wireless Communication Facility (WCF) consisting of an 18'2" high mono-broadleaf tree (replacing an existing monopole) with two antennas and an adjacent equipment enclosure with two cabinets. The project also proposes an 1,800 foot split rail fence within the public right-of-way.	
PROJECT DESCRIPTION:		
COMMUNITY PLAN AREA:	Del Mar Mesa	
DISCRETIONARY ACTIONS:	Process 4 – Planned Development Permit, Conditional Use Permit, Coastal Development Permit, and Site Development Permit	
COMMUNITY PLAN LAND USE DESIGNATION:	Estate Residential	
ZONE:	ZONING INFORMATION: AR-1-1	

ZONE: AR-1-HEIGHT LIMIT: 30' FRONT SETBACK: 25' SIDE SETBACK: 20' STREETSIDE SETBACK: n/a

REAR SETBACK: 25'

ADJACENT PROPERTIES:	LAND USE DESIGNATION & ZONE	EXISTING LAND USE
NORTH:	Estate Residential, AR-1-1	Residential
SOUTH:	Estate Residential, AR-1-1	Residential
EAST:	Estate Residential, AR-1-1	Residential/Agricultural
WEST:	Estate Residential, AR-1-1	Residential
DEVIATIONS OR VARIANCES REQUESTED:	Setback: This project encroaches within the 20 foot side setback.	
COMMUNITY PLANNING GROUP RECOMMENDATION:	On July 9, 2009 the Del Mar Mesa Community Planning Group voted to approve the project with the addition of a split rail fence.	

#### Del Mar Mesa Community Planning Board

Thursday, July 9, 2009
Carmel Valley Library, Community Room
3919 Townsgate Drive
Meeting Minutes

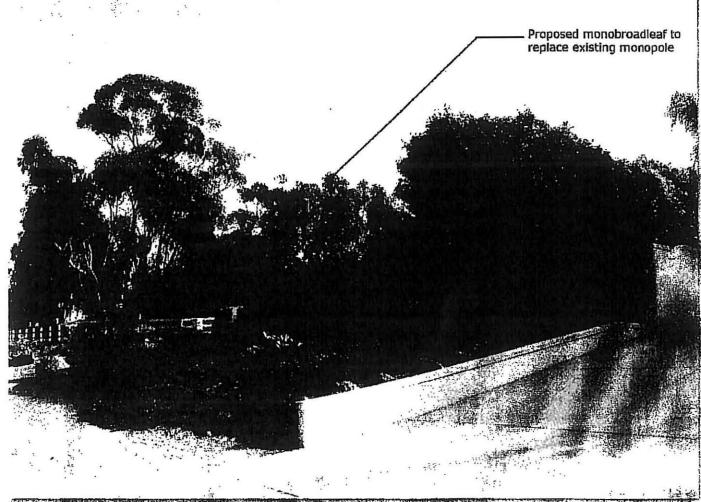
- 1. Roll Call Lisa Ross was excused. Tom Voss did not attend.
- 2. Approval of Minutes The minutes were unanimously approved with Bob Nascenzi and Victoria Johnson abstaining (5-0).
- 3. Neighborhood Park Gary Levitt and Paul Metcalf met with Councilmember Sherri Lightner and discussed possibilities of building the park in stages as well as private maintenance. Paul explained concerns with liability associated with private maintenance may be addressed with a 501c3. Paul and Gary with further investigate opportunities.
- FBA update Mel Millstein will get status from Pam Bernasconi of the City Facilities Finance Department.
- Del Mar Mesa Road Landscaping Elizabeth Rabbitt will continue to pursue contact with code enforcement on maintenance issues along the road. Old city contacts have left.
- 6. Fireworks at Grand Del Mar Gary Levitt will send a letter that was distributed to the board prior to the meeting to the Grand Del Mar asking them to stop fireworks displays as they had previously agreed to do. In addition, the letter will raise the issue that the Resort has installed exterior lighting which does not appear to be consistent with the exterior lighting provisions of the Del Mar Mesa Specific Plan.
- 7. Little McGonnigle Ranch Road There was a subcommittee meeting last week and two Pacific Highlands Ranch community members attended. Elizabeth Rabbitt summarized the issues and is investigating the issues further.
- MAD Establishment Paul Metcalf noted Latitude 33's proposal was for \$18k and \$5k will also be needed for staff time, mailings, etc. Mel Millstein will investigate opportunities for funding.

- 9. Del Mar Estates Dan Wery from RBF presented the project and noted the property owners will install and maintain a trail along Camino Stella frontage. Lot coverage restrictions and design guidelines were circulated to the board prior to the meeting. Paul metcalf motioned to approve the project subject to the conditions that the properties install and maintain the trail as shown on the site plan exhibit; the design guidelines are enforced; and that the CC&R's prohibit property owners within the development from objecting to neighbors having horses. Victoria Johnson seconded and the motion was unanimously approved (10-0)
- 10. T-Mobile cell tower Shelly Kilbourne presented the project as a permit in need of renewal. The proposal for the new permit is to change the existing 15foot tall pole located within setback zone to an 18-foot monobroadleaf cell site outside the setback zone. There was discussion about the existing cell tower being unobtrusive and blending into the landscaping which has grown around it. Also there was discussion that the application is a development permit application, and that all other developments have accepted or have been given the responsibility to complete road frontage landscaping and split rail fence as is outlined in the Specific Plan. It was noted that the property owner has not done this, despite giving the board their assurance that they would when they were building a home next to this parcel and came before the board for a lot line adjustment. The consensus of the board is that it is more important that the split rail fence and landscaping be installed and maintained along the length of this properties street frontage, rather than require the applicant to install a different antenna or move it outside of the setback zone. Victoria Johnson motioned to request leaving the existing antennae in its existing location without camouflaging into a false tree, but would like the property owner to install and maintain a split-rail fence and landscaping for all property fronting right-of-way, to match the fence and landscape of the neighbors. The motion was seconded by Remington Jackson and unanimously approved (10-0).
- 11. Los Penasquitos Canyon Preserve Citizens Advisory Committee (LPCPCAC) Marvin Gerst reported the CAC is meeting on July 16 7PM at the Adobe house. Also, a task force meeting is being setup for July 27 10:30AM location to be determined.
- 12. The board agreed to go dark in August with unanimous approval (10-0).

#### **ATTACHMENT 6**

SD06078 Del Mar Mesa 5005 Del Mar Mesa Rd. San Diego, CA 92130

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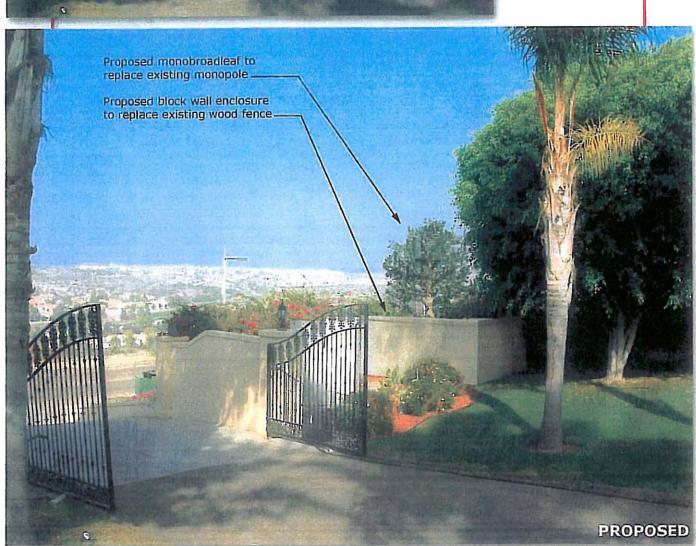
Photosimulation of proposed telecommunications site

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#### ATTACHMENT 6

SD06078 Del Mar Mesa 5005 Del Mar Mesa Rd. San Dlego, CA 92130

T - Mobile

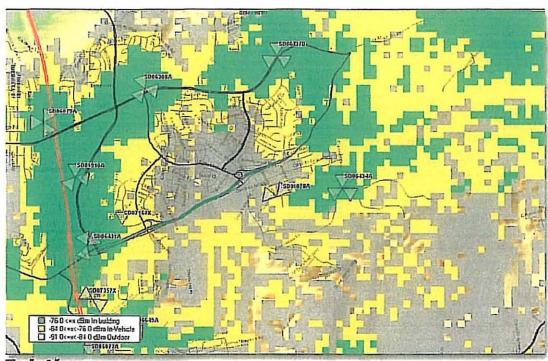


Photosimulation of proposed telecommunications site

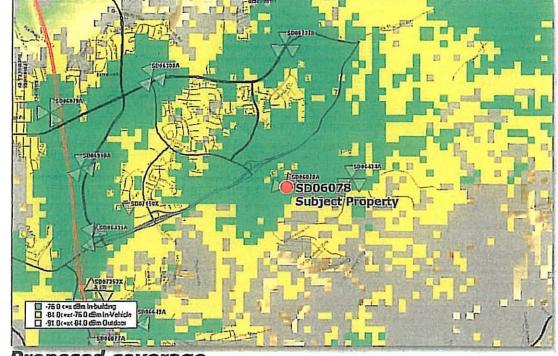
EXISTING

SD06078 ATTACHMENT 7 Del r Mesa 5005 Del Mar Mesa Rd. San Diego, CA 92130

T - Mobile



Existing coverage



Excellent
Good/Variable
Poor
No Coverage

Proposed coverage Page 1 of 4

SD06078 Del Mar Mesa 5005 Del Mar Mesa Rd. San Diego, CA 92130

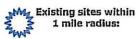
T - Mobile -

Legend

Search Ring



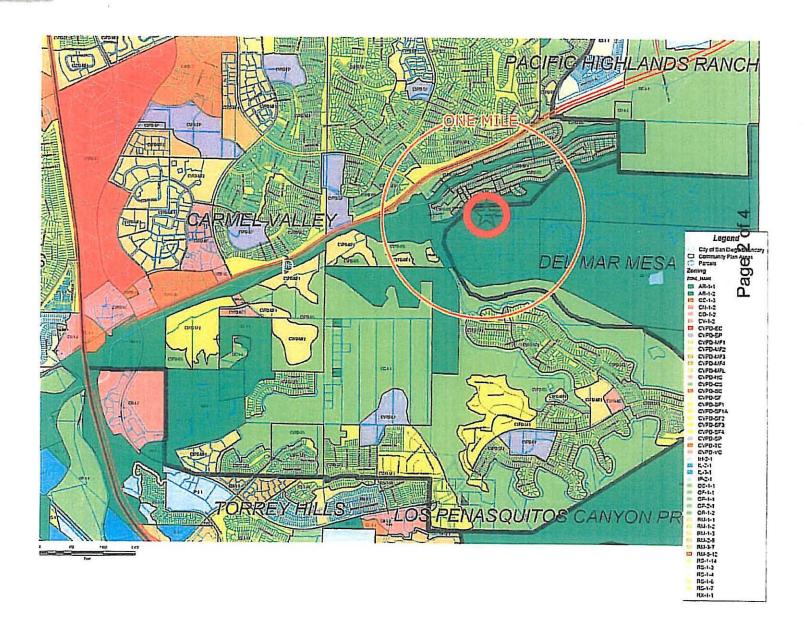
Selected Sile



No existing sites within one mile



No alternative sites: sites





# SITE JUSTIFICATION Del Mar Mesa Renewal of 95-0350-101 5005 Del Mar Mesa Road

#### PROJECT DESCRIPTION and SITE DESIGN

The project is an existing wireless communication facility located at 5005 Del Mar Mesa Road in the Del Mar Mesa Community Plan area. The existing facility consists of three

(3) panel antennas located on a pole with two (2) equipment consists located at the base of the pole. The project proposes to replace the existing pole with an 18'-2" monobroadleaf tree. The associated equipment location will not change, but the existing wood fence enclosure will be replaced with a 6'- 0" CMU enclosure.

The property is zoned AR-1-1 and is developed with a single family residence, the T-Mobile facility and an existing Sprint facility. The property is surrounded by residential development and stables. The existing facility was constructed in 1997 and is an integral part of the T-Mobile network.

#### PREFERENCE 3 LOCATION

The existing pole and equipment cabinets are located within the side yard setback. Due to the other improvements on the property maintaining the site in the current location was most feasible. The side yard setback is 20 feet and the project encroaches into the setback by approximately 10 feet. However, due to the existing landscaping and topography, the site will be minimally visible from surrounding properties.

#### SERVICE COVERAGE AREA

The site is existing, therefore coverage plots have been provided showing the existing service area and the change (loss) of service without the site. As indicated on the coverage plots, the area served by this site is Del Mar Mesa, Carmel Valley and parts of Torrey Hills. As indicated above, this site has been operating since 1997 and is part of the network. The loss of this site would significantly impact the coverage provided by the site as well as its connection to surrounding sites.

#### **CO-LOCATION OF WIRELESS FACILITIES**

Sprint is also located on the property.



#### **Telecommunications Project Management**

#### Conditional Use Permit

- The property is designated for residential uses. The proposed wireless facility will not impact the primary use of the property and therefore will not affect the Community Plan. Additionally, the community plan does not specifically address wireless facilities.
- 2. The proposed wireless facility is regulated by the FCC for radio frequency emissions. The proposed facility will be within the FCC standards for public safety.
- 3. The proposed wireless facility complies with the applicable development regulations of the underlying zone, with the exception of the side and rear setback, which will be addressed through the Planned Development Permit process.

#### Planned Development Permit

- 1. The property is designated for residential uses. The proposed wireless facility will not impact the primary use of the property and therefore will not affect the Community Plan. Additionally, the community plan does not specifically address wireless facilities.
- The proposed wireless facility is regulated by the FCC for radio frequency 2. emissions. The proposed facility will be within the FCC standards for public safety.
- 3. The proposed wireless facility complies with the applicable development regulations of the underlying zone, with the exception of the side and rear setbacks, which are being addressed through the Planned Development Permit process.
- 4. The proposed project will provide improved and continued wireless service to the community. As wireless service provides necessary communication, including for emergencies, the project as a whole will be beneficial to the community.
- 5. The reduced setback location is preferred because it allows the replacement antenna structure to be sited in the same location as the current structure. This will eliminate additional impacts to the property, including loss of existing landscaping. Allowing the replacement facility to remain in the setbacks will allow it to better integrate within the existing landscaping on site.

302 State Place

Escondido, CA 92029

619-208-4685 mobile 760-735-4913 fax

#### **PHOTO STUDY & KEY MAP**

# PROPOSAL TO ESTABLISH AND OPERATE A NEW DIGITAL PCS COMMUNICATIONS FACILITY

#### SD06078

Stephens 56 5005 Del Mar Mesa Road San Diego, CA 92130

Prepared for: City of San Diego Department of Planning 1222 First Avenue MS 301 San Diego, CA 92101

Prepared by:

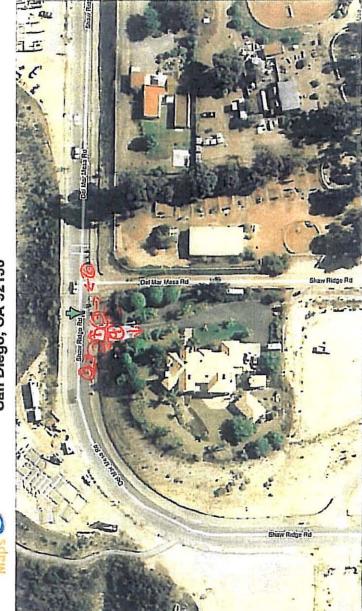
PlanCom, Inc.
Contractor Representatives for
T-Mobile

302 State Place Escondido, CA 92029 Contact: Krystal Patterson, Planning Consultant (760) 715-8703

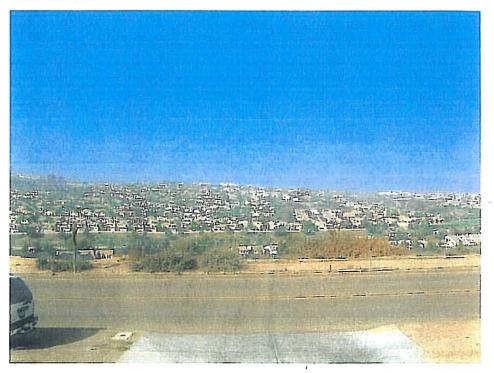
February 2, 2008



5005 Del Mar Mesa Rd San Diego, CA 92130





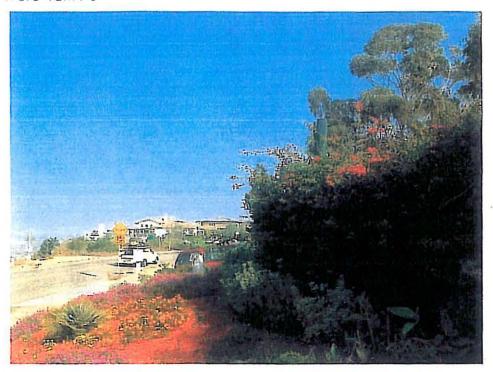


LOOKING NORTH



LOOKING WEST



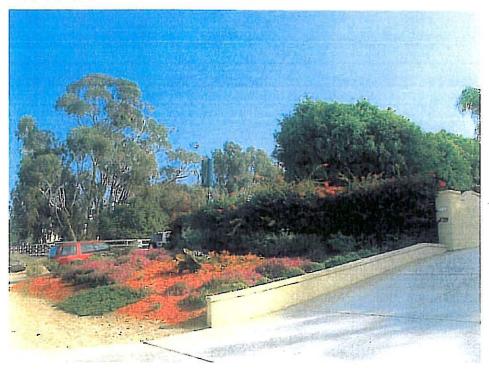


LOOKING EAST



LOOKING SOUTH



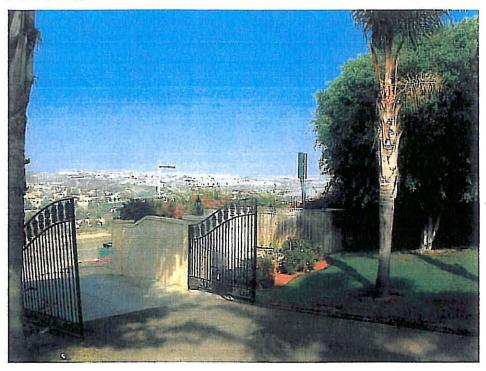


VIEW LOOKING EAST OF EXISTING POLE MOUNTED ANTENNAS



VIEW LOOKING WEST OF EXISTING POLE MOUNTED ANTENNAS



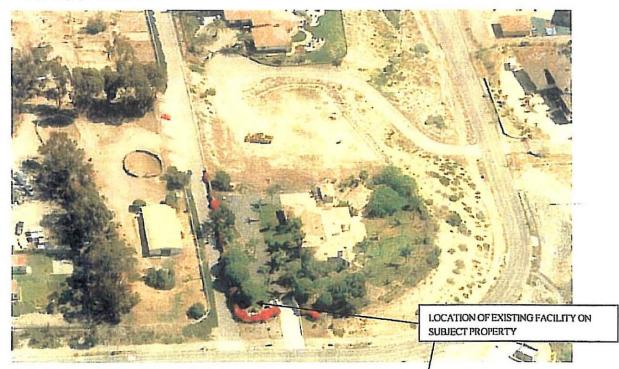


LOOKING NORTHEAST AT POLE MOUNTED ANTENNAS LOCATED WITHIN FENCED EQUIP. COMPOUND



VIEW OF EXISTING BTS EQUIPMENT CABINETS WITHIN FENCED COMPOUND





BIRD'S EYE VIEW OF SUBJECT PROPERTY



BIRD'S EYE VIEW OF SUBJECT PROPERTY

#### RECORDING REQUESTED BY

CITY OF SAN DIEGO DEVELOPMENT SERVICES PERMIT INTAKE, MAIL STATION 501

WHEN RECORDED MAIL TO PROJECT MANAGEMENT PERMIT CLERK MAIL STATION 501

SPACE ABOVE THIS LINE FOR RECORDER'S USE

PLANNED DEVELOPMENT PERMIT NO. 691812
CONDITIONAL USE PERMIT NO. 533126
COASTAL DEVELOPMENT PERMIT NO. 691813
SITE DEVELOPMENT PERMIT NO. 700522
T-MOBILE – DEL MAR MESA
PROJECT NO. 151075
PLANNING COMMISSION

This PLANNED DEVELOPMENT PERMIT (PDP) NO. 691812, CONDITIONAL USE PERMIT (CUP) NO. 533126, COASTAL DEVELOPMENT PERMIT (CDP) NO. 691813, and SITE DEVELOPMENT PERMIT (SDP) NO. 700522 are granted by the **Planning Commission** of the City of San Diego to ALBERT J. SHARF AND IONA SHARF/SHARF FAMILY TRUST 11-27-01, Owner, and T-MOBILE WEST CORPORATION, Permittee, pursuant to San Diego Municipal Code [SDMC] section 141.0420. The site is located at 5005 Del Mar Mesa Road in the AR-1-1 zone of the Del Mar Mesa Community Plan. The project site is legally described as Lot 12 of Del Mar Mesa Estates, Unit No. 2, Map No. 14081, in the City of San Diego, County of San Diego, State of California, filed in the Office of the Recorder of the said County.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to construct, operate, and maintain a Wireless Communication Facility (WCF), described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated February 25, 2010, on file in the Development Services Department.

The project shall include:

- a. An 18'2" high mono-broadleaf tree supporting two (2) antennas and associated equipment located within the side yard setback;
- b. An 1,800 foot split-rail fence;
- Landscaping (planting, irrigation and landscape related improvements);

- Removal of an existing communication antenna facility, previously permitted under administrative approval 95-0350-101 within 180 days of PDP, SDP, CUP, and CDP issuance;
- e. Accessory improvements determined by the Development Services Department to be consistent with the land use and development standards in effect for this site per the adopted community plan, California Environmental Quality Act Guidelines, public and private improvement requirements of the City Engineer, the underlying zone(s), conditions of this Permit, and any other applicable regulations of the SDMC in effect for this site.

#### STANDARD REQUIREMENTS:

- 1. This permit must be utilized within 180 days after the date on which all rights of appeal have expired. Failure to utilize and maintain utilization of this permit as described in the SDMC will automatically void the permit unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in affect at the time the extension is considered by the appropriate decision maker.
- 2. No permit for the construction, occupancy or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:
  - a. The Owner/Permittee signs and returns the Permit to the Development Services Department; and
  - b. The Permit is recorded in the Office of the San Diego County Recorder.
- 3. Unless this Permit has been revoked by the City of San Diego the property included by reference within this Permit shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the Development Services Department.
- 4. This PDP, CUP, CDP, and SDP and corresponding use of this site shall expire on February 25, 2020. Upon expiration of this Permit, the facilities and improvements described herein shall be removed from this site and the property shall be restored to its original condition preceding approval of this Permit unless the applicant of record files a new application for a facility which will be subject to compliance with all regulations in effect at the time.
- 5. No later than ninety (90) days prior to the expiration of this permit, the Owner/Permittee may submit a new PDP, CUP, CDP, and SDP application to the City Manager for consideration with review and a decision by the appropriate decision maker at that time. Failure to submit prior to the deadline will be cause for compliance, which may include penalties and fines.

- 6. Under no circumstances, does approval of this permit authorize T-Mobile West Corporation, their tenants, or subsequent permittees to utilize this site for wireless communication purposes beyond the permit expiration date. Implicit use of this permit beyond the effective date of this permit is prohibited.
- 7. This Permit is a covenant running with the subject property and shall be binding upon the Owner/Permittee and any successor or successors, and the interests of any successor shall be subject to each and every condition set out in this Permit and all referenced documents.
- 8. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
- 9. Issuance of this Permit by the City of San Diego does not authorize the Owner/Permittee for this permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).
- 10. The Owner/Permittee shall secure all necessary building permits. The Owner/Permittee is informed that to secure these permits, substantial modifications to the building and site improvements to comply with applicable building, fire, mechanical and plumbing codes and State law requiring access for disabled people may be required.
- 11. Construction plans shall be in substantial conformity to Exhibit "A." No changes, modifications or alterations shall be made unless appropriate application(s) or amendment(s) to this Permit have been granted.
- 12. All of the conditions contained in this Permit have been considered and have been determined to be necessary in order to make the findings required for this Permit. It is the intent of the City that the holder of this Permit be required to comply with each and every condition in order to be afforded the special rights which the holder of the Permit is entitled as a result of obtaining this Permit.

In the event that any condition of this Permit, on a legal challenge by the Owner/Permittee of this Permit, is found or held by a court of competent jurisdiction to be invalid, unenforceable, or unreasonable, this Permit shall be void. However, in such an event, the Owner/Permittee shall have the right, by paying applicable processing fees, to bring a request for a new permit without the "invalid" conditions(s) back to the discretionary body which approved the Permit for a determination by that body as to whether all of the findings necessary for the issuance of the proposed permit can still be made in the absence of the "invalid" condition(s). Such hearing shall be a hearing de novo and the discretionary body shall have the absolute right to approve, disapprove, or modify the proposed permit and the condition(s) contained therein.

13. The applicant shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from any and all claims, actions, proceedings, damages, judgments, or costs, including attorney's fees, against the City or its agents, officers, or employees, relating to the issuance of this permit including, but not limited to, any action to attack, set aside, void,

challenge, or annul this development approval and any environmental document or decision. The City will promptly notify applicant of any claim, action, or proceeding and, if the City should fail to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, and hold harmless the City or its agents, officers, and employees. The City may elect to conduct its own defense, participate in its own defense, or obtain independent legal counsel in defense of any claim related to this indemnification. In the event of such election, applicant shall pay all of the costs related thereto, including without limitation reasonable attorney's fees and costs. In the event of a disagreement between the City and applicant regarding litigation issues, the City shall have the authority to control the litigation and make litigation related decisions, including, but not limited to, settlement or other disposition of the matter. However, the applicant shall not be required to pay or perform any settlement unless such settlement is approved by applicant.

#### **ENGINEERING REQUIREMENTS:**

- 14. Prior to the issuance of any construction permits, the applicant shall incorporate any construction Best Management Practices necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the Municipal Code, into the construction plans or specifications.
- 15. Prior to the issuance of any construction permits, the applicant shall submit a Water Pollution Control Plan (WPCP). The WPCP shall be prepared in accordance with the guidelines in Appendix E of the City's Storm Water Standards.
- 16. Any party on whom fees, dedications, reservations or other exactions have been imposed as conditions of approval of this development permit, may protest the imposition within 90 days of the approval of this development permit by filing a written protest with the City Clerk pursuant to California Government Code 66020.

#### LANDSCAPE REQUIREMENTS:

- 17. Prior to issuance of any construction permits for buildings the Permittee or Subsequent Owner shall submit complete landscape and irrigation construction documents consistent with the Land Development Manual, Landscape Standards to the Development Services Department for approval. The construction documents shall be in substantial conformance with Exhibit 'A,' Landscape Development Plan, on file in the Office of the Development Services Department.
- 18. Prior to issuance of any Certificate of Occupancy or activation of facility, it shall be the responsibility of the Permittee or Subsequent Owner to install all required landscape and obtain all required landscape inspections. A "No Fee" Street Tree Permit shall be obtained for the installation, establishment, and on-going maintenance of all street trees.
- 19. The Permittee or Subsequent Owner shall maintain all landscape in a disease, weed and litter free condition at all times. Severe pruning or "topping" of trees is not permitted. The trees shall be maintained in a safe manner to allow each tree to grow to its mature height and spread.

- 20. The Permittee or Subsequent Owner shall be responsible for the maintenance of all landscape improvements in the right-of-way consistent with the Land Development Manual, Landscape Standards unless long-term maintenance of said landscaping will be the responsibility of a Landscape Maintenance District or other approved entity. In this case, a Landscape Maintenance Agreement shall be submitted for review by a Landscape Planner.
- 21. If any required landscape (including existing or new plantings, hardscape, landscape features, etc.) indicated on the approved construction document plans is damaged or removed during demolition or construction, the Permittee or Subsequent Owner is responsible to repair and/or replace any landscape in kind and equivalent size per the approved documents to the satisfaction of the Development Services Department within 30 days of damage or prior to a final landscape inspection.

#### PLANNING/DESIGN REQUIREMENTS:

- 22. A topographical survey conforming to the provisions of the SDMC may be required if it is determined, during construction, that there may be a conflict between the building(s) under construction and a condition of this Permit or a regulation of the underlying zone. The cost of any such survey shall be borne by the Owner/Permittee.
- 23. Prior to the issuance of a construction permit, the Permittee shall provide certification providing evidence that the cumulative field measurements of radio frequency power densities for all antennas installed on the premises comply with federal standards.
- 24. All equipment, including transformers, emergency generators and air conditioners shall be designed and operated consistent with the City noise ordinance. Ventilation openings shall be baffled and directed away from residential areas. Vibration resonance of operating equipment in the equipment enclosures shall be eliminated.
- 25. Prior to obtaining a Construction Permit the following items must be illustrated on the construction drawings; coax cable tray, meters, telco, A/C units, generator receptacles, cable runs, bridges, dog houses and external ports. These appurtenances must be minimized visually so as to avoid the effect of changing the outward appearance of the project from what was approved on the exhibits.
- 26. The applicant of record is responsible for notifying the city prior to the sale or takeover of this site to any other provider.
- 27. This wireless communication facility shall be removed or replaced if it is determined that the facility or components of the facility are obsolete.
- 28. Within 60 days of PDP, CUP, CDP, and SDP approval, the Permittee shall submit Public Improvement Plans for review and approval by Development Services for installation of the 1,800 feet of split rail fencing.

- 29. Within 180 days of PDP, CUP, and CDP approval, the Permittee shall install the 1,800 feet of split rail fencing and obtain approval from the Development Services Department in the form of a Final Planning Inspection.
- 30. Within 90 days of PDP, CUP, and CDP approval, the Permittee shall apply for a building permit to remove the existing monopole and install the new faux monobroadleaf tree as shown on Exhibit "A".
- 31. Within 180 days of PDP, CUP, and CDP approval, the Permittee shall remove the existing communication antenna facility monopole previously permitted under administrative approval 95-0350-101 and restore the property to its original condition, per Land Development Code section 141.0420(b)(4).
- 32. Failure to adhere to the timeline stated in this permit shall result in immediate Civil Penalties administered by Neighborhood Code Compliance.
- 33. Prior to building permit issuance, faux broad-leaf specifications shall be submitted for review and approval by the Development Services Department. The details shall include:
  - a. Official manufacturer specifications and photos
  - b. Distance the branches extend from the antenna face minimum 24 inches required
  - c. Branch count
  - d. Overall branch density (minimum 2.5 per ft., measured from start of branches to top of tree)
  - e. Beginning branch height
  - f. Overall tree height and overall pole height
  - g. Materials
  - h. Cabling of the antenna (no overhead cabling)
  - i. Sock details (all antennas must be covered with antenna socks with leaves)
  - j. Color specifications
  - k. Leaf detail (proposed leaf should be similar to surrounding mature or proposed tree species)
  - 1. Type of brackets

#### **INFORMATION ONLY:**

- □ Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this development permit, may protest the imposition within ninety days of the approval of this development permit by filing a written protest with the City Clerk pursuant to California Government Code §66020.
- ☐ This development may be subject to impact fees at the time of construction permit issuance

APPROVED by the Planning Commission of the City of San Diego on February 25, 2010 by Resolution No. PC-XXXX.

#### **ATTACHMENT 9**

Permit Type/PTS Approval No.: PDP/691812 CUP/533126, CDP/691813, SDP/700522 Date of Approval: 2/25/2010

# AUTHENTICATED BY THE DEVELOPMENT SERVICES DEPARTMENT Alexander Hempton, AICP Associate Planner NOTE: Notary acknowledgment must be attached per Civil Code section 1189 et seq. The undersigned Owner/Permittee, by execution hereof, agrees to each and every condition of this Permit and promises to perform each and every obligation of Owner/Permittee hereunder. **SHARF FAMILY TRUST 11-27-01** Owner Albert J. Sharf T-MOBILE WEST CORPORATION Permittee

NOTE: Notary acknowledgments must be attached per Civil Code section 1189 et seq.

PLANNING COMMISSION
RESOLUTION NO. PC-XXXX
PLANNED DEVELOPMENT PERMIT NO. 691812
CONDITIONAL USE PERMIT NO. 533126
COASTAL DEVELOPMENT PERMIT NO. 691813
SITE DEVELOPMENT PERMIT NO. 700522
T-MOBILE – DEL MAR MESA
PROJECT NO. 151075

WHEREAS, ALBERT J. SHARF AND IONA SHARF/SHARF FAMILY TRUST 11-27-01, Owners, and T-MOBILE WEST CORPORATION, Permittee, filed an application with the City of San Diego for a permit to construct, operate, and maintain a Wireless Communication Facility (WCF) (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit Nos. 691812, 533126, 691813, and 700522);

WHEREAS, the project site is located at 5005 Del Mar Mesa Road in the AR-1-1 zone of the Del Mar Mesa Community Plan;

WHEREAS, the project site is legally described as Lot 12 of Del Mar Mesa Estates, Unit No. 2, Map No. 14081, in the City of San Diego, County of San Diego, State of California, filed in the Office of the Recorder of the said County;

WHEREAS, on February 25, 2010, the Planning Commission of the City of San Diego considered Planned Development Permit No. 691812, Conditional Use Permit No. 533126, Coastal Development Permit No. 691813, and Site Development Permit No. 700522 pursuant to the Land Development Code of the City of San Diego;

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of San Diego as follows:

That the Planning Commission adopts the following written Findings, dated February 25, 2010.

#### FINDINGS:

#### Planned Development Permit - Section 126.0604

#### Findings for all Planned Development Permits

#### 1. The proposed development will not adversely affect the applicable land use plan;

The City of San Diego's General Plan (UD-15) requires that the visual impact of wireless facilities be minimized by concealing wireless facilities in existing structures or using screening techniques to hide or blend them into the surrounding area. The plan also calls for these facilities to be designed to be aesthetically pleasing and respectful of the neighborhood context. Furthermore, the plan states that equipment associated with wireless facilities be concealed from view. The existing facility consists of a pole in the front setback of a property with a residential use in an area designated as Estate Residential in the Community Plan. The project proposes to

remove the existing pole and install a faux broadleaf tree in its place. This will more effectively blend the antennas in with the existing landscape backdrop. Equipment associated with the antennas is located within the front yard behind a fence and within an enclosure and will not be visible to the street. A project component includes the installation of a 1,800 foot split rail fence which the Community Plan recommends.

## 2. The proposed development will not be detrimental to the public health, safety, and welfare;

The Telecommunication Act of 1996 preempts local governments from regulating the "placement, construction and modification of wireless communication facilities on the basis of the environmental effects of Radio Frequency (RF) emissions to the extent that such facilities comply with the Federal Communication Commission's (FCC) standards for such emissions." The proposed project would be consistent with the FCC's regulations for wireless facilities. To insure that the FCC standards are being met, a condition has been added to the permit to require that T-Mobile West Corporation perform a cumulative model RF test and submit the finding in a report to the City of San Diego prior to the issuance of a building permit. Therefore, based on the above, the project would not result in any significant health or safety risks to the surrounding area within the jurisdiction of the city.

## 3. The proposed development will comply with the regulations of the Land Development Code;

This development complies with all applicable regulations of the Land Development Code, with the exception of the side yard setback requirement for the AR-1-1 zone. The AR1-1 zone requires a 20 foot side yard setback and this project is within the setback. The equipment and antenna are within the setback, which allows the facility to be located away from the existing residential use on site.

# 4. The proposed development, when considered as a whole, will be beneficial to the community; and

This project will be beneficial to the community. The facility provides wireless communication services, including e911 for users of cell phones and other devices. The facility provides these wireless services in a way that is integrated with the community. In addition, this project will implement one of the recommendations of the Community Plan by installing an 1,800 foot long section of split rail fence along the property frontage. Therefore, this development will be beneficial to the community.

5. Any proposed deviations pursuant to Section 126.0602(b)(1) are appropriate for this location and will result in a more desirable project than would be achieved if designed in strict conformance with the development regulations of the applicable zone.

The equipment and monobroadleaf associated with this wireless communication facility are located within the property's 20 foot side yard setback. The zone for this area is AR-1-1, which permits low density residential and low intensity agricultural uses. While the property's setback is 20 feet, the adjacent property consists of a driveway and an agricultural use with a proposed barn development. The Community Planning Group decided that the existing location of the

antennas and equipment was acceptable, as long as an 1,800 foot section of split rail fencing was installed along the property line. T-Mobile West Corporation has agreed to install the fencing. Therefore, the project is more desirable with the additional community benefits than if the project was designed in strict conformance with the development regulations. In addition, the location of the wireless facility allows it to be located away from the existing residential use on site.

#### Conditional Use Permit - Section 126.0305

#### The proposed development will not adversely affect the applicable land use plan;

The City of San Diego's General Plan (UD-15) requires that the visual impact of wireless facilities be minimized by concealing wireless facilities in existing structures or using screening techniques to hide or blend them into the surrounding area. The plan also calls for these facilities to be designed to be aesthetically pleasing and respectful of the neighborhood context. Furthermore, the plan states that equipment associated with wireless facilities be concealed from view. The existing facility consists of a pole in the front setback of a property with a residential use in an area designated as Estate Residential in the Community Plan. The project proposes to remove the existing pole and install a faux broadleaf tree in its place. This will more effectively blend the antennas in with the existing landscape backdrop. Equipment associated with the antennas is located within the front yard behind a fence and within an enclosure and will not be visible to the street. A project component includes the installation of an 1,800 foot split rail fence which the Community Plan recommends.

#### The proposed development will not be detrimental to the public health, safety, and welfare;

The Telecommunication Act of 1996 preempts local governments from regulating the "placement, construction and modification of wireless communication facilities on the basis of the environmental effects of Radio Frequency (RF) emissions to the extent that such facilities comply with the Federal Communication Commission's (FCC) standards for such emissions." The proposed project would be consistent with the FCC's regulations for wireless facilities. To insure that the FCC standards are being met, a condition has been added to the permit to require that T-Mobile West Corporation perform a cumulative model RF test and submit the finding in a report to the City of San Diego prior to the issuance of a building permit. Therefore, based on the above, the project would not result in any significant health or safety risks to the surrounding area within the jurisdiction of the city.

# 3. The proposed development will comply to the maximum extent feasible with the regulations of the Land Development Code; and

This development complies with all applicable regulations of the Land Development Code, with the exception of the side yard setback requirement for the AR-1-1 zone. The AR1-1 zone requires a 20 foot side yard setback and this project is within the setback. The equipment and antenna are within the setback, which allows the facility to be located away from the existing residential use on site. A Planned Development Permit is being processed to allow the deviation to the side setback requirement.

4. The proposed use is appropriate at the proposed location.

Residential uses are the least preferable location for Wireless Communication Facilities (WCF), however this property already contains two WCF and the adjacent property is planning to construct a barn structure, capable of containing WCF. While residential uses are the least preferred area for situating these facilities, this particular section of Del Mar Mesa allows wireless carriers to meet their target coverage areas in a way that is compatible with the agricultural "Estate Residential" theme identified in the Community Plan.

#### Coastal Development Permit - Section 126.0708

1. The proposed coastal development will not encroach upon any existing physical access way that is legally used by the public or any proposed public accessway identified in a Local Coastal Program land use plan; and the proposed coastal development will enhance and protect public views to and along the ocean and other scenic coastal areas as specified in the Local Coastal Program land use plan; and

This project does not encroach upon any existing physical access way that is legally used by the public or any proposed public access way identified in the Local Coastal Program. Furthermore, the proposed development will not impact public views to and along the ocean and other coastal areas.

2. The proposed coastal development will not adversely affect environmentally sensitive lands; and

This project is within a previously developed area and will not adversely affect environmentally sensitive lands.

3. The proposed coastal development is in conformity with the certified Local Coastal Program land use plan and complies with all regulations of the certified Implementation Program; and

This project conforms to the Local Coastal Program and complies with the applicable regulations.

4. For every Coastal Development Permit issued for any coastal development between the nearest public road and the sea or the shoreline of any body of water located within the Coastal Overlay Zone the coastal development is in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act.

This finding is not applicable to this project as the project is not located within the area identified.

#### Site Development Permit - Section 126.0504

#### Findings for all Site Development Permits

1. The proposed development will not adversely affect the applicable land use plan; The City of San Diego's General Plan (UD-15) requires that the visual impact of wireless facilities be minimized by concealing wireless facilities in existing structures or using screening

techniques to hide or blend them into the surrounding area. The plan also calls for these facilities to be designed to be aesthetically pleasing and respectful of the neighborhood context. Furthermore, the plan states that equipment associated with wireless facilities be concealed from view. The existing facility consists of a pole in the front setback of a property with a residential use in an area designated as Estate Residential in the Community Plan. The project proposes to remove the existing pole and install a faux broadleaf tree in its place. This will more effectively blend the antennas in with the existing landscape backdrop. Equipment associated with the antennas is located within the front yard behind a fence and within an enclosure and will not be visible to the street. A project component includes the installation of an 1,800 foot split rail fence which the Community Plan recommends.

#### The proposed development will not be detrimental to the public health, safety, and welfare; and

The Telecommunication Act of 1996 preempts local governments from regulating the "placement, construction and modification of wireless communication facilities on the basis of the environmental effects of Radio Frequency (RF) emissions to the extent that such facilities comply with the Federal Communication Commission's (FCC) standards for such emissions." The proposed project would be consistent with the FCC's regulations for wireless facilities. To insure that the FCC standards are being met, a condition has been added to the permit to require that T-Mobile West Corporation perform a cumulative model RF test and submit the finding in a report to the City of San Diego prior to the issuance of a building permit. Therefore, based on the above, the project would not result in any significant health or safety risks to the surrounding area within the jurisdiction of the city.

# 3. The proposed development will comply with the applicable regulations of the Land Development Code.

This development complies with all applicable regulations of the Land Development Code, with the exception of the side yard setback requirement for the AR-1-1 zone. The AR1-1 zone requires a 20 foot side yard setback and this project is within the setback. The equipment and antenna are within the setback, which allows the facility to be located away from the existing residential use on site. A Planned Development Permit is being processed to allow the deviation to the side setback requirement.

#### Supplemental findings—Public Right-of Way Encroachments

 The proposed encroachment is reasonably related to public travel, or benefits a public purpose, or all record owners have given the applicant written permission to maintain the encroachment on their property;

The proposed encroachment is consistent with the Del Mar Mesa Community Plan, which provides for horse trails within the public right-of-way along Del Mar Mesa Road. The proposed fence will provide a safer travel way for horses and riders along the trail as it will provide separation from vehicles on the adjacent roadway. The encroachment is adjacent to one property and that owner has been notified.

#### ATTACHMENT 10

 The proposed encroachment does not interfere with the free and unobstructed use of the public right-of way for public travel;

The Del Mar Community Plan identifies a split rail fence between the horse trails and roadway, to provide separation and protection of the two conflicting uses. The proposed split rail fence is intended to address the Community Plan and to foster safe movement for horses along the trail and will not interfere with the use of the horse trails and right-of-way.

The proposed encroachment will not adversely affect the aesthetic character of the community; and

The Del Mar Mesa Community Plan identifies a split rail fence along the horse trails as a means of providing a safe travel way and creating a visual separation between the horse and vehicles in a manner that is consistent with the rural character of Del Mar Mesa Road. The proposed split rail fence is consistent with the Community Plan.

 The proposed encroachment does not violate any other Municipal Code provisions or other local, state, or federal law; and

The proposed encroachment is consistent with the Community Plan and Municipal Code.

5. For coastal development in the coastal overlay zone, the encroachment is consistent with Section 132.0403 (Supplement Use Regulations of the Coastal Overlay Zone).

The right-of-way is within the Coastal zone, but is not a coastal development. Such an encroachment would generally not be subject to the Coastal regulations.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Planning Commission, PLANNED DEVELOPMENT PERMIT NO. 691812, CONDITIONAL USE PERMIT NO. 533126, COASTAL DEVELOPMENT PERMIT NO. 691813, and SITE DEVELOPMENT PERMIT NO. 700522 are hereby GRANTED by the Planning Commission to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit Nos. 691812, 533126, 691813, and 700522 a copy of which is attached hereto and made a part hereof.

Alexander Hempton, AICP Associate Planner Development Services

Adopted on: February 25, 2010



City of San Diego Development Services 1222 First Ave., MS-302 San Diego, CA 92101 (619) 448-5000

# Ownership Disclosure Statement

Approval Type: Chack appropriate b  Neighborhood Development Permit  Variance C Tentative Map C Ves	☐ Site Development Permit ☐ Pla	anned Developmer	nt Permit Q Condition	al Use Permit
Project Title		The formation of the second	Proj	ect No. For City Use Only
SD6078 Stephens 56				-
Project Address:	440.44			
5005 D-114 - M B - 1				
5005 Del Mur Mesa Road				
Part I - To be completed when pr	operty is held by individual(s	)	-,-	
By signing the Ownership Disclosure S above, will be filed with the City of San list below the owner(e) and tenant(s) (il persons who have an interest in the printer permit, all individuals who own the needed. A signature from the Assistant which a Disposition and Development of rectifying the Project Manager of any ownership are to be given to the Project curate and current ownership informational pages attached  Name of individual (type or print): Albert J. Sharf & Iona Sharf/ Sha C. Owner	Diego on the subject property, will fapplicable) of the above reference operty, recorded or otherwise, and property). A signature is required at Executive Director of the Sen Die Agreement (DDA) has been approved the sen ownership during the stat Manager at least thirty days prior on could result in a delay in the heat Yes. Who	the intent to record property. The life state the type of poffer the type of poffer the type of ty	and an encumbrance as stimust include the ne repeated to the ne repeated to the ne repeated to the ne repeated to the city Council. Note in la being processed of the city Council to the	rainsi the property. Please mes and addresses of all tenants who will benefit from that additional pages if uired for all project parcels for: The applicant is responsible or considered. Changes in perty. Failure to provide ac-
Clty/State/Zlp:		City/State/Zip:	*****	· · · · · · · · · · · · · · · · · · ·
San Diego, CA 92130 Phone No:	Fax No:	Phone No:		Fax No:
Signature:	9-19-07	Signature :		Dale:
Name of Individual (type of print):	The state of the s	Name of Indivi	idual (type or print);	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,
CI Owner CI Tenant/Lessee Street Address:	☐ Redevelopment Agency	Owner Street Address:	☐ TenanVLessee	Redevelopment Agency
City/State/Zip:		City/State/Zip;		
City/State/21p.		Gily/Giale/24).		
Phone No:	Fax No:	Phone No:		Fax No:
Signature :	Date:	Signature :		Dale:

This Information is available in alternative formats for persons with disabilities. Be sure to see us on the World Wide Web at www.sandlego.gov/development-services DS-318 (5-05)

# ATTACHMENT 11

Project Title: SD6078 Stephens 56	×		Project No. (For City Use Only)		
Part II - To be completed when prop	erty is held by a cor	poration or partnership			
Legal Status (please check):					
☐ Corporation (☐ Limited Liability -o ☐ Partnership	r- 🗆 General) What	State? Corporate Identific	eation No.		
By signing the Ownership Disclosure S as identified shove, will be filed with the against the property. Please list below corded or otherwise, and state the type and all partners in a partnership who oners who own the property. Attach ad ager of any changes in ownership duribe given to the Project Manager at learate and current ownership information.	e City of San Diego of the names, titles and of property interest with the property). As ditional pages if needing the time the application of the time the application of the could result in a delay.	in the subject property with the inter- id addresses of all persons who had it is described by the interest of all persons who had it is described of at least one is de. Note: The applicant is respon- is to is being processed or considering on the subject of it is the hearing on the subject of it is the hearing process. Addition	ent to record an encumbrance ve an interest in the property, re- the permit, all corporate officers, a of the corporate officers or part- sible for notifying the Project Man- lered. Changes in ownership are to property. Failure to provide accu- mat pages attached   No		
Corporate/Partnership Name (type or print): Corporate/Partnership			ne (type or print):		
Owner Tenant/Lessee		Owner C Tenant	Lessee		
Street Address: 5050 Del Mar Mesa Road		Street Address:	**************************************		
City/State/Zip:		City/State/Zip:	***************************************		
Phone No:	Fax No:	Phone No:	Fax No:		
Name of Corporate Officer/Partner (type	or print):	Name of Corporate Officer/Pa	riner (type or print):		
Title (type or print):		Title (type or print);			
Signature :	Date:	Signature :	Dale:		
Corporate/Partnership Name (type o	r print):	Corporate/Partnership Nan	ne (type or print):		
☐ Owner ☐ Tenent/Lessee		☐ Owner ☐ Tenant/	Lessee		
Street Address:	•••	Street Address:			
City/State/Zip:		City/State/Zip:			
Phone No:	Fax No:	Phone No:	Fax No:		
Name of Corporate Officer/Partner (type	or print):	Name of Corporate Officer/Pa	riner (type or print):		
Title (type or print):		Title (type or print):	***		
Signature :	Date:	Signature :	Date:		
Corporate/Partnership Name (type o	print):	Corporate/Partnership Nam	ne (type or print):		
Owner D Tenant/Lesses		Owner C Tenant/	1 pagne		
Street Address:		Street Address:			
City/State/Zip:	· · · · · · · · · · · · · · · · · · ·	City/State/Zip:			
Phone No:	Fax No:	Phone No:	Fax No:		
Name of Corporate Officer/Partner (type	10.000/00000000000000000000000000000000	Name of Corporate Officer/Pa	40.000000000000000000000000000000000000		
Title (type or print):		Title (type or print):	TO CONTROL OF THE CON		
Signature :	Dale;	Signature :	Date:		
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## T-Mobile Senior Leadership Team

### **Robert Dotson**

President and Chief Executive Officer

Jim Alling Chief Operations Officer

Cole Brodman Chief Technology and Innovation Officer

### Brian Kirkpatrick

Chief Financial Officer

### **Dave Miller**

Chief Legal Officer and General Counsel

Larry Myers Chief People Officer

Denny Post Chief Markeling Officer

### John Birrer

Senior Vice President, Customer Service

### **Doug Chartier**

Senior Vice President, Sales

### **Peter Ewans**

Senior Vice President, Strategy

### **Neville Ray**

Senior Vice President, Engineering Operations

### **Rob Strickland**

Senior Vice President, Enterprise Information Technology / Chief Information Officer

(2/3/2010)

# Page 1 of 1

# ATTACHMENT 12

# T-Mobile – Del Mar Mesa PROJECT CHRONOLOGY PTS #151075 JO#43-0414

Date	Action	Description	City Review	Applicant Response
2/27/08	Deemed Complete	Submitted to Development Services		
4/8/08	1 <sup>st</sup> Assessment Letter		41	
11/18/08	2 <sup>nd</sup> Submittal			224
1/15/09	2 <sup>nd</sup> Assessment Letter		58	
6/12/09	3 <sup>rd</sup> Submittal			148
7/22/09	3 <sup>rd</sup> Assessment Letter		40	
9/24/09	4 <sup>th</sup> Submittal			64
10/13/09	Issues Resolved		35	35
12/22/09	Plans Resubmitted	Fence moved from the property line to within the public right-of-way, requiring additional review by Engineering Staff		
1/28/10	All Issues Resolved		37	
2/25/10	Planning Commission	Public Hearing	28	

Total Staff Time (Average at 30 days per month):	7.9 months	
Total Applicant Time (Average at 30 days per month):	15.7 months	
Total Project Running Time (Years/Months/Days):	23.7 months or 710 days	



## ATTACHMENT 13

### THE CITY OF SAN DIEGO

DATE OF NOTICE: February 9, 2010

# NOTICE OF PUBLIC HEARING PLANNING COMMISSION

DATE OF HEARING:

February 25, 2010

TIME OF HEARING:

9:00 A.M.

LOCATION OF HEARING:

Council Chambers, 12th Floor, City Administration Building,

202 C Street, San Diego, California 92101

PROJECT TYPE:

CONDITIONAL USE PERMIT, SITE DEVELOPMENT

PERMIT, COASTAL DEVELOPMENT PERMIT, AND PLANNED DEVELOPMENT PERMIT, PROCESS 4

PROJECT NUMBER:

151075

PROJECT NAME:

T-MOBILE - DEL MAR MESA

APPLICANT:

Shelly Kilbourn, PlanCom, Inc., agents for T-Mobile

COMMUNITY PLAN AREA:

COUNCIL DISTRICT:

Del Mar Mesa

District 1

CITY PROJECT MANAGER:

PHONE NUMBER:

Alex Hempton, Associate Planner

(619) 446-5349

As a property owner, tenant or person who has requested notice, you should know that the Planning Commission will hold a public hearing to approve, conditionally approve, or deny an application for a Wireless Communication Facility (WCF) consisting of replacing an existing monopole with an 18'-2" tall monobroadleaf (faux tree) supporting 2 antennas. The equipment enclosure will be upgraded and a 1,800 linear foot split rail fence will be added along the property frontage within the public right-of-way. The project is located at 5005 Del Mar Mesa Rd. within the AR-1-1 zone.

The decision of the Planning Commission is final unless the project is appealed to the City Council. In order to appeal the decision of the Planning Commission you must be present at the public hearing and file a speaker slip concerning the application or have expressed interest by writing to the Planning Commission before the close of the public hearing. See Information Bulletin 505 "Appeal Procedure", available at <a href="www.sandiego.gov/development-services">www.sandiego.gov/development-services</a> or in person at the office of the City Clerk, 202 "C" Street, Second Floor. The appeal must be made within 10 working days of the Planning

### ATTACHMENT 13

Commission decision. If you wish to challenge the City's action on the above proceedings in court, you may be limited to addressing only those issues you or someone else have raised at the public hearing described in this notice, or written in correspondence to the City at or before the public hearing.

This project was determined to be categorically exempt from the California Environmental Quality Act on April 9, 2008 and the opportunity to appeal that determination ended April 23, 2008.

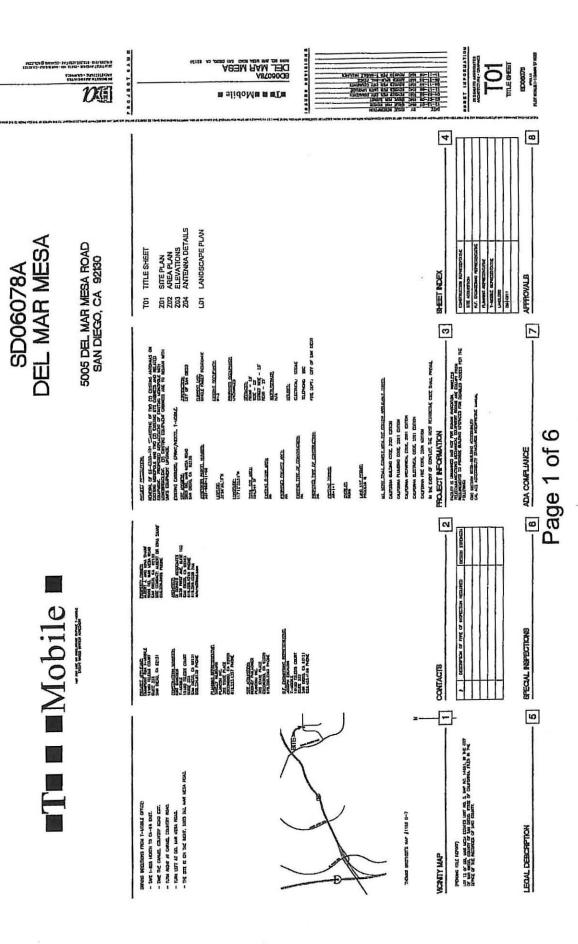
The final decision by the City of San Diego is not appealable to the California Coastal Commission. If you want to receive a Notice of Final Action, you must submit a written request to the City Project Manager listed above.

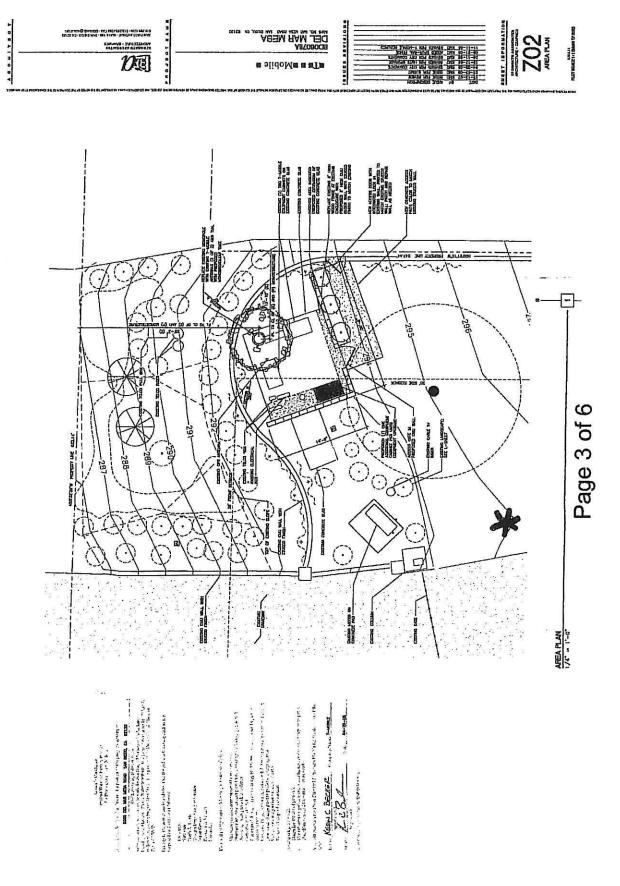
If you have any questions after reviewing this information, you can contact the City Project Manager listed above.

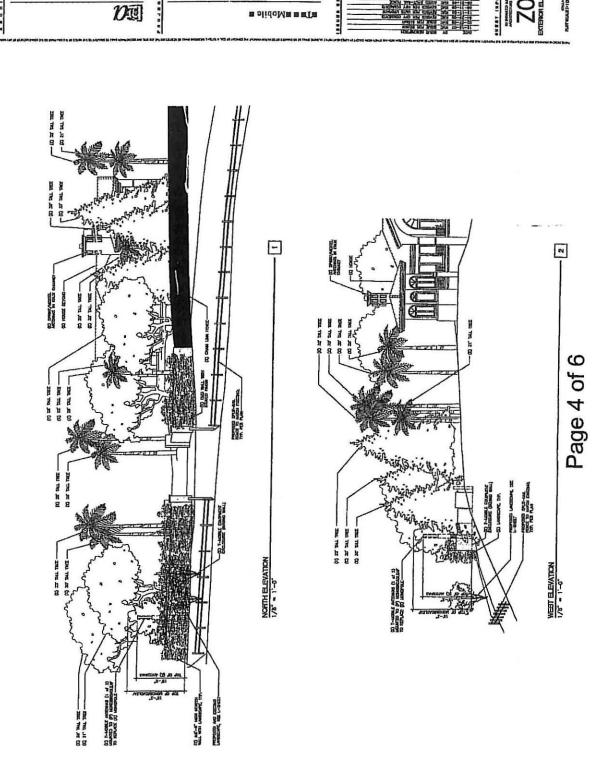
This information will be made available in alternative formats upon request. To request an agenda in alternative format or to request a sign language or oral interpreter for the meeting, call <u>Support Services at (619) 321-3208</u> at least five working days prior to the meeting to insure availability. Assistive Listening Devices (ALD's) are also available for the meeting upon request.

Internal Order No. 23430414

Revised 12/5/08 RH







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